Remarks

This amendment places the application in condition for allowance or appeal by removing indefiniteness rejections using amendments that do not require new search, since the term "different than" being substituted into currently amended Claims 1 and 12 already appears and has been examined as part of previously amended Claim 7, and because the changes to Claims 2 and 3 are of form only, not substance. Accordingly, the amendment should be entered after final.

All pending claims (1-20) have been rejected as being unpatentable over van Dinteren et al. in view of Buccola. In marked contrast to the present claims, the primary reference uses only a single data signal to undertake both a wake-up function and a command function, col. 5, lines 50-53, indicating that the signal used by the Schmitt trigger to wake up the circuit is the "first or second signal" referred to at col. 5, lines 4-15 as clearly being the data signal itself. Accordingly, van Dinteren et al. neither teaches nor suggests the use of using a wake-up signal that has a different frequency than the data signal and that as a consequence affords the advantages noted in the present specification on page 11.

Buccola has been used to remedy the above shortfall. The combination of Buccola with the primary reference is improper on two easily understood grounds that will virtually assure reversal by the Board should this case go to appeal. First, Buccola is drawn to door locks; the door lock art is not analogous to the window covering art of the present claims. No evidence has been adduced of record that the artisan skilled in the window covering art would logically look to the door lock art, MPEP §2141. Note that the present claims do not presume to cover "power saving methods and systems" generally, but rather are specifically directed to the art of window coverings. It would be difficult at best to advance, with a straight face, the argument on appeal that door locks are analogous to window coverings.

Second and perhaps not surprisingly given their disparate fields, no suggestion exists to combine Buccola with van Dinteren et al. Nowhere does Buccola suggest using its principles in anything other than locking mechanisms, much less does Buccola suggest using any of its disclosure with window covering operating systems. Van Dinteren et al. nowhere suggests using more than one signal in the first place, so why one would be motivated on the basis of van Dinteren et al. to incorporate, in some unknowable fashion, the locking system of Buccola, much less the particular part of it being relied on in the rejection, is a mystery.

Furthermore, the examiner, quite understandably, ventures no attempt to comply with the requirement of MPEP §2143 to explain why a reasonable expectation of success exists in combining a door lock circuit with a window covering operating circuit. How would van Dinteren et al., precisely, be modified to incorporate a door lack circuit? Would the entire circuit of van Dinteren et al. have to be removed and replaced by the door lock circuit of Buccola, thus enabling van Dinteren et al. certainly capable of unlocking a door but not perhaps moving a window covering? If not, and only the relied-upon part of Buccola used in van Dinteren et al., where and how would this unsuggested portion be dropped into the circuit of van Dinteren et al.? Without understanding quite how Buccola could be incorporated into van Dinteren et al., how can a reasonable expectation of success be shown in compliance with the MPEP?

The problem with making a prima facie case is further complicated by the fact that the relied-upon teaching of Buccola is sparse indeed. All it states is that two detectors can be provided for receiving respective frequencies, one of which "wakes up" the microprocessor. But nowhere does Buccola teach what generates the frequencies, or how the wake up frequency "prepares" the microprocessor for operation, or even that the microprocessor is deenergized until receipt of the wake up frequency. Given this bare hint at

how the wake up feature functions in the intended environment of Buccola, it is no wonder that the requisite prior art suggestion is completely absent of just how the opaque teaching of Buccola could be transferred into a completely uncontemplated window covering system.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,

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